IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 17TH APRIL 2007 / 27TH CHAITHRA 1929

Bail Appl..No. 2326 of 2007()

CRIME NO. 278 OF 2007 OF PATHANAMTHITTA POLICE STATION.
CRMP.1833/2007 of J.M.F.C.-I,PATHANAMTHITTA

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PETITIONER/ACCUSED

RAJAN, S/O.CHELLAYYAN NADAR,
`MATHA HOTEL, AMBALAKADAVU, MUTTATHUKONAM MURI,
CHENNEERKKARA VILLAGE, FROM (ATHIRA HOUSE,
DALUMUKHAM, KARIKKAMANGODU DESOM, VELLARADA
VILLAGE, NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS/ COMPLAINANT AND STATE

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
PATHANAMTHITAA.

BY PUBLIC PROSECUTOR ADV. SHRI FIROZ K.M.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

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B.A. No. 2326 OF 2007

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Dated this the 17th April, 2007

O R D E R

This is an application for bail under section 439 of the Code of Criminal Procedure.

2. The petitioner is the accused in Crime No. 278 of 2007 of Pathanamthitta Police Station. The offence alleged against him is under section 8(1) and (2) of the Abkari Act

3. The petitioner moved an application for bail before the Court of Judicial Magistrate of the First Class-I, Pathanamthitta but the same was dismissed by the order dated 09.04.2007.

4. Petitioner was arrested on 23.03.2007 . The allegation against the petitioner is that he was found in possession of 2.75 litres of arrack. Learned Public Prosecutor submits that the petitioner is not involved in any other offences of similar nature.

In the facts and circumstances of the case, I am inclined to grant bail to the petitioner. The petitioner shall be released on bail on condition

that he executes a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the Judicial Magistrate of the First Class-I, Pathanamthitta..

K.T. SANKARAN,
JUDGE.

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